

State of New Hampshire



PERSONNEL APPEALS BOARD

28 School Street
Concord, New Hampshire 03301

NOTICE OF SCHEDULING PREHEARING CONFERENCES #1

8:30 a.m. to 9:00 a.m.
Wednesday, May 27, 2020

Due to the Covid-19 Pandemic, this hearing will be held via WebEx conference.

Join by phone: +1-415-655-0001 US Toll

Join from a video system or application

Dial 471225974@nhgov.webex.com

You can also dial 173.243.2.68 and enter your meeting number

Meeting number (access code): **471 225 974**

Meeting password: **32FmJsBEHC8**

The Board, under the authority of RSA 541-A:31, RSA 21-I:58, and Per-A 206.03 of the Code of Administrative Rules, has scheduled **MANDATORY PREHEARING CONFERENCES** as outlined below to facilitate the scheduling of an evidentiary hearing and a just disposition of each of the matters listed. Notices are being sent to the current representatives of record.

Denise Gallagher - #2020-O-001

DHHS – DCYF

For the Appellant: Denise Gallagher, Pro Se

For the Appellee: Attorney Rahkiya Meldey

Paul Mansur - #2020-D-002

Department of Justice

For the Appellant: Attorney Gina Walcott

For the Appellee: Assistant Attorney General Erik Bal

Rodney Gagne - #2020-D-003

Department of Health & Human Services

For the Appellant: Sean Bolton, SEA Representative

For the Appellee: Attorney Rahkiya Meldey

Triana Perez-Collazo - #2020-T-007

New Hampshire Veterans Home

For the Appellant: Gary Snyder, General Counsel – SEA

For the Appellee: Civil Bureau, Attorney General's Office

Brown Massaquoi - #2020-T-009

New Hampshire Veterans Home

For the Appellant: Pro Se

For the Appellee: Civil Bureau, Attorney General's Office

Per-A 206.03 (b) of the NH Code of Administrative Rules (Rules of the Personnel Appeals Board) states:

A prehearing conference shall be convened to narrow the factual issues or for any other purpose set forth in RSA 541-A:31, V to consider:

- (1) Offers of settlement;
- (2) Simplification of the issues;
- (3) Stipulations or admissions as to issues of fact or proof by consent of the parties;
- (4) Limitations on the number of witnesses;
- (5) Changes to standard procedures desired during the hearing by consent of the parties;
- (6) Consolidation of examination of witnesses; or
- (7) Any other matters which aid in the disposition of the proceeding.

In order to narrow the factual issues and define more clearly the scope of the appeals, the Board requests that the parties supply the following information at or before the scheduled pre-hearing conference:

Both parties shall submit:

- (1) A concise summary of their respective case.

At the scheduled pre-hearing conference, each party shall be prepared to address the following:

- (1) Scope of the hearing
- (2) Outstanding discovery issues
- (3) Stipulations or admissions as to issues of fact or proof
- (4) Offers of settlement
- (5) Number of witnesses expected to testify in a hearing on the merits
- (6) Special scheduling
- (7) Amount of time required to hear the case
- (8) Pending motions, whether dispositive or non-dispositive

All prehearing activities shall be conducted in accordance with Chapters Per-A 100-200 of the NH Code of Administrative Rules (Rules of the Personnel Appeals Board). Each party has the right to have an attorney represent them at their own expense. Parties should advise the Board immediately if they believe there are reasons that any member or alternate member of the Board should not participate in the pre-hearing conference or later hearing. Members of the Board include Norman Patenaude, Marilee Nihan and Gail Wilson.

Motions for postponement or special scheduling will only be considered for exceptional circumstances and must be made in writing to the Personnel Appeals Board within ten (10) calendar days of the date of this notice to be considered. Except in the event of a *bona fide* emergency, untimely requests will be denied. Further, except for good cause shown, failure of an appellant to appear as scheduled may result in dismissal of the appeal for lack of prosecution.

Other Business

Non-public session pursuant to RSA 91-A:3, II(j) to deliberate on motions filed in an adjudicative proceeding pursuant to RSA 541 or RSA 541-A.

FOR THE PERSONNEL APPEALS BOARD



Becky Harty, Executive Assistant
NH Personnel Appeals Board

cc: Lorrie Rudis, Director of Personnel, 28 School St., Concord, NH 03301
Attorney Gary Snyder, State Employees Association, 207 North Main Street, Concord, NH 03301
Attorney Rahkiya Medley, DHHS, 129 Pleasant Street, Concord, NH 03301
Attorney Gina Walcott, 391 Tottem Pond Road, Suite 301, Waltham, MA 02451
Attorney Erik Bal, Attorney General Office, 207 North Main Street, Concord, NH 03301
Sean Bolton, State Employees Association, 207 North Main Street, Concord, NH 03301
Civil Bureau, Attorney General's Office, 33 Capitol Street, Concord, NH 03301
Denise Gallagher, 12 Evergreen Road, Hampton, NH 03842
Brown Massaquoi, 10 Tremont Street, Concord, NH 03301
Marilyn Doe, Human Resources, DHHS, 129 Pleasant Street, Concord, NH 03301
Beth Aborn, State Employees Association, 207 North Main Street, Concord, NH 03301